



PUBLIC NOTICE

Federal Communications Commission
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DEC 17 2007

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DA 07-4987

Released: December 13, 2007

DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF ASSETS OF ONEEIGHTY NETWORKS, INC. TO ORBITCOM, INC

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 07-286

Comments Due: December 27, 2007

Reply Comments Due: January 3, 2008

The following application was filed pursuant to section 63.03 of the Commission's rules requesting approval to transfer the assets of OneEighty Networks, Inc. (OneEighty) to Orbitcom, Inc. (Orbitcom) (together, Applicants).¹ OneEighty, a Washington corporation, is authorized to provide competitive telecommunications services in Idaho, Oregon, and Washington. Applicants state that OneEighty provides data and private line services in these states, but does not provide local exchange or long distance services at this time. Orbitcom, a South Dakota corporation, is authorized to provide competitive local exchange and long distance services in 14 states.² The following individuals, all U.S. citizens, will hold a 10 percent or greater direct equity interest in Orbitcom: Gregory Green (13 percent), Jim Perry (21 percent), Brad VanLeur (33 percent), and Michael Powers (33 percent). Applicants state that, pursuant to an asset purchase agreement, Orbitcom will purchase the assets and liabilities of OneEighty and, following the completion of the transaction, OneEighty will be wholly owned by Orbitcom. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under section 63.03(b)(2)(i) of the Commission's rules and that a grant of the application will serve the public interest, convenience, and necessity.³

Application Filed for the Transfer of Assets of OneEighty Networks, Inc. to
Orbitcom, Inc., WC Docket No. 07-286 (filed Dec. 4, 2007).

¹ 47 C.F.R. § 63.03; see 47 U.S.C. § 214. Applicants are also filing applications for the transfer of control associated with authorization for international services. Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications. Applicants filed a supplement to their domestic section 214 application on December 13, 2007.

² The states are Arizona, Colorado, Idaho, Iowa, Minnesota, Montana, Nebraska, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming.

³ 47 C.F.R. § 63.03(b)(2)(i).

GENERAL INFORMATION

The Wireline Competition Bureau finds, upon initial review, that the transfer of assets identified herein is acceptable for filing as a streamlined application. The Commission reserves the right to return any transfer application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to section 63.03(a) of the Commission's rules, 47 C.F.R. § 63.03(a), interested parties may file comments **on or before December 27, 2007**, and reply comments **on or before January 3, 2008**. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31st day after the date of this notice.⁴ Comments must be filed electronically using (1) the Commission's Electronic Comment Filing System (ECFS) or (2) the Federal Government's eRulemaking Portal. See 47 C.F.R. § 63.03(a) ("All comments on streamlined applications shall be filed electronically . . ."); *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Comments may be filed electronically using the Internet by accessing the ECFS, <http://www.fcc.gov/cgb/ecfs/>, or the Federal eRulemaking Portal, <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.
- For ECFS filers, if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

In addition, email one copy of each pleading to each of the following:

- 1) The Commission's duplicating contractor, Best Copy and Printing, Inc., fcc@bcpiweb.com; phone: 202 / 488-5300; fax: 202 / 488-5563;
- 2) Tracey Wilson, Competition Policy Division, Wireline Competition Bureau, tracey.wilson-parker@fcc.gov;
- 3) Jodie May, Competition Policy Division, Wireline Competition Bureau, jodie.may@fcc.gov;
- 4) David Krech, Policy Division, International Bureau, david.krech@fcc.gov; and
- 5) Jim Bird, Office of General Counsel, jim.bird@fcc.gov.

Filings and comments are available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554; telephone: 202 / 488-5300; fax: 202 / 488-5563; email: fcc@bcpiweb.com; url: www.bcpiweb.com.

⁴ Such authorization is conditioned upon receipt of any other necessary approvals from the Commission in connection with the proposed transaction.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202 / 418-0530 (voice), 202 / 418-0432 (tty).

For further information, please contact Tracey Wilson-Parker at 202 / 418-1394 or Jodie May at 202 / 418-0913.

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